

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re ISLAND VIEW CROSSING II, L.P.,	:	Chapter 11
	:	
Debtor	:	Bky. No. 17-14454
	:	
	:	
KEVIN O'HALLORAN, in his capacity as	:	
Chapter 11 Trustee for	:	
ISLAND VIEW CROSSING II, L.P., et al.	:	
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
PRUDENTIAL SAVINGS BANK,	:	
	:	
Defendant	:	Adv. No. 17-202
	:	Adv. No. 18-280

O R D E R

AND NOW, upon consideration of Prudential's Motion to Dismiss the Complaints ("the Motion"), and for the reasons stated in the accompanying Memorandum,

It is hereby **ORDERED** that:

1. The Motion is **GRANTED IN PART AND DENIED IN PART**.
2. The Motion is **DENIED** with respect to the tortious interference claim in Adv. No. 17-202.
3. The Motion is **GRANTED WITHOUT LEAVE TO AMEND** with respect to the 12 Pa.C.S. §5104(a) and §5105 claims for avoidance of the transaction referred to in the accompanying Memorandum as "the 2014 Construction Loan."
4. The Motion is **GRANTED WITH LEAVE TO AMEND** with respect to
 - a. the 12 Pa.C.S. §5104(a) claim for avoidance of the transfer referred to in the accompanying Memorandum as "the 2014 Construction Mortgage."

- b. the 12 Pa.C.S. §5105 claim for avoidance of all of the transfers described in the Complaint except the 2014 Construction Loan.
5. In all other respects, the Motion is **DENIED**.
6. If the Trustee wishes to file an Amended Complaint in Adv. No. 18-280, he shall do so **on or before June 12, 2019**.

Date: May 23, 2019

A handwritten signature in black ink, appearing to read 'ERL', written over a horizontal line.

ERIC L. FRANK
U.S. BANKRUPTCY JUDGE